IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

(1) COMPANY APPLICATION NO.371 OF 2006
IN
COMPANY PETITION NO.454 OF 1989

(2) COMPANY APPLICATION NO.372 OF 2006
IN
COMPANY PETITION NO.455 OF 1989

(3) COMPANY APPLICATION NO.373 OF 2006
IN
COMPANY PETITION NO.456 OF 1989

Office Notes, Office Memoranda of Coram appearance, Court's orders or directions and Prothonotary's orders	Court's or Judge's orders

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Mr.K.H.Mody with Ms.Mohana Nair for the applicants.
Mr.Sanjay Jain with Mr.Dubhash with R.L.Setaia for Respondent Nos.1 to 3.
Mr.Yogesh Deshpande for Respondent No.4.
Mr.P.J.Range with Ms.L.P.Range for original petitioners.

Coram : R.S.Mohite,J

Date : 07.09.2006.

PC

1. These are the applications filed by the applicants to vacate orders under which Court Receiver has been appointed in the Contempt petitions. Advocate for the applicants states that he is not pressing prayer clause-(a) and he will be satisfied if prayer clause-(a1) is granted. This prayer pertains to grant of leave to the applicant to execute recovery certificates dated

31.10.2002, 12.11.2002 and 11.11.2002. The objection raised on behalf of original respondent nos.1 to 3 is that this prayer is wide and it should be restricted to the properties which are mentioned in the schedule to the Judges summons. This argument has to be accepted and it is clarified that leave is granted as per prayer clause-(a1) in respect of properties which have been found in the schedule to the Judges summons. These properties are as follows :-

1) Flat No.74 with Garage No.17 at Rajat Apartments, Mount Pleasant Road, Mumbai-400 006;

2) Flat No.26, 'A' Wing, Nutan Abhishek Co-operative Housing Society Ltd., Lokhandwala Complex, Andheri (West), Mumbai-400 058 ;

3) The office premises situate at Gandhi Building, 1st floor, 2nd Fanaswadi, Dadyseth Agiary Lane, Mumbai-400 002.

2. It is made clear that all contentions which can be raised as per law are left open in the execution proceedings. Applications stand disposed off.

(R.S.Mohite,J)